

**BOARD OF PSYCHOLOGY**

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**BOARD MEETING MINUTES**

**Department of Consumer Affairs**

**1625 North Market Boulevard**

**Sacramento, CA 95834**

**Hearing Room, S-102**

**(916) 263-2699**

**Friday, November 16, 2007**

The open session meeting was called to order by the President, James McGhee, at 8:40 a.m. A quorum was present and due notice had been sent to all interested parties.

**Members Present:**

James McGhee, President  
Sharon O'Connor, Ph.D., Vice-President  
Alex Calero  
Ellen Graff, Ph.D.  
Jacqueline Horn, Ph.D.  
Emil Rodolfa, Ph.D.  
Richard Sherman, Ph.D.

**Others Present:**

Robert Kahane, Executive Officer  
Jeffrey Thomas, Assistant Executive Officer  
Norine Marks, Legal Counsel  
Deanne Pearce, Enforcement Coordinator  
Lavinia Snyder, Licensing/Registration Program Coordinator  
Karen Johnson, Licensing/Registration Analyst  
Diana Crosby, Administrative Technician

**Agenda Item #1 – Administration of Oath of Office to Appointed Board Members Mr. Calero and Dr. Rodolfa**

Mr. Kahane administered the Oath of Office to Mr. Calero and Dr. Rodolfa.

**Closed Session**

The Board met in closed session pursuant Government Code Section 11126(a)(1) to evaluate the performance of the Executive Officer.

**9:15 A.M. – Open Session**

**Agenda Item #2 – Approval of Minutes for August 3 - 4, 2007 Board Meeting**

It was M(Horn)/S(O'Connor)/C to approve the August 3 - 4, 2007, open session minutes with minor grammatical changes.

Vote: 7 – 0

### **9:30 A.M. – Open Session Committee Meetings**

The Continuing Education Committee and Enforcement Committee met to discuss and formulate recommendations to the Board.

### **11:00 A.M. – Open Session Committee Meetings**

The Credentials Committee, Outreach and Consumer Education Committee, and Ad Hoc Committee on Facilitating Psychologists' Participation in Disaster Response met to discuss and formulate recommendations to the Board.

### **2:00 P.M. – Open Session Committee Meetings**

The Examination Committee, Legislation Committee, Personnel and Board Operations Committee, and Ad Hoc Committee on Prescription Privileges met to discuss and formulate recommendations to the Board.

### **Closed Session, upon conclusion of committee meetings**

The Board met in closed session pursuant Government Code Section 11126(c)(3) to discuss and vote on disciplinary decisions.

### **Saturday, November 17, 2007**

The open session meeting was called to order by the President, James McGhee, at 8:10 a.m. A quorum was present and due notice had been sent to all interested parties.

#### **Members Present:**

James McGhee, President  
Sharon O'Connor, Ph.D., Vice-President  
Alex Calero  
Ellen Graff, Ph.D.  
Jacqueline Horn, Ph.D.  
Emil Rodolfa, Ph.D.  
Richard Sherman, Ph.D.

#### **Others Present:**

Robert Kahane, Executive Officer  
Jeffrey Thomas, Assistant Executive Officer  
Norine Marks, Legal Counsel  
Deanne Pearce, Enforcement Coordinator  
Lavinia Snyder, Licensing/Registration Program Coordinator  
Karen Johnson, Licensing/Registration Analyst

### **Agenda Item #3 – President's Report – Mr. McGhee**

#### **a) New Board Members**

Mr. McGhee introduced the Board's two new members, Alex Calero who is an enforcement attorney for the California Department of Corporations and Emil Rodolfa, Ph.D., who is the Director of Counseling Services for the University of California, Davis.

**b) Los Angeles County Psychological Association Convention**

Mr. McGhee stated that he attended the Los Angeles County Psychological Association Convention with the Board's Assistant Executive Officer, Jeffrey Thomas, on October 20, 2007. Mr. McGhee reported that he had an opportunity to attend some of the workshops while Mr. Thomas distributed laws and regulations and the Board's consumer brochures as well as answered attendees' questions at the Board's booth. He indicated that the event went very well.

**c) Other President's Informational Items**

Mr. McGhee reported that he has been invited by Speaker Nancy Pelosi to attend a veteran's roundtable to discuss issues among veterans such as high suicide rate, housing, and healthcare. He indicated that he will be reporting back to the Board regarding this issue.

**Agenda Item #4– Executive Officer's Report – Mr. Kahane**

**a) American Psychological Association Convention**

Mr. Kahane reported that the Board had a vendor booth for all four days during the American Psychological Association (APA) Convention. Of the over 800 vendors, we were the only psychology board represented at the event. The Board received many questions regarding licensure, mobility, and the practice of psychology in California. Many of our contacts look forward to us being able to attend the 2008 APA Convention in Boston, MA.

**b) Association of State & Provincial Psychology Boards Annual Meeting**

Mr. Kahane reported on his attendance as a delegate and facilitator to the Association of State & Provincial Psychology Boards Annual Meeting (ASPPB) during the third week in October. The emphasis was on practicum, assessing competency, document verification and challenges in discipline. Mr. Kahane was a facilitator for one of the discipline workshops. California has previously experienced many problems currently being faced by other jurisdictions. Dr. Horn stated Dr. Emil Rodolfa of our Board is President-Elect of ASPPB.

**c) Web Site Update**

Mr. Kahane stated the new tabular website format is currently being worked on by the Department of Consumer Affairs (DCA) Internet Team. There are 14 more Boards to be completed. He indicated that Board staff will have additional meetings to discuss our template with the Internet designer prior to January. Mr. Kahane reported that we are expecting a February launch date for the new website.

**d) Board Office Relocation**

Mr. Kahane discussed the Board office relocation. The move to the new Evergreen facility is slated for the weeks of February 9 and February 16, 2008. He reminded the Board that these dates are subject to change.

**e) Staff Changes**

Mr. Kahane reported that Deanne Pearce, our new Enforcement Coordinator, is now with the Board full time. He informed the Board that Monica Mc Donald has been hired as an Office Technician for enforcement, which completes the staffing in that area.

**f) Licensing Backlog**

Mr. Kahane reported the hiring of three retired annuitants, Rita Ference-Castro, Deborah Joyner and Betty Taylor, to assist in the licensing backlog of recent months. Two of those positions will remain with the Licensing Unit and the other will be re-assigned to the Enforcement Unit shortly after the licensing backlog is eliminated.

**g) Other Executive Officer's Informational Items**

Mr. Kahane noted that the California Emergency Volunteer Program is working with Department of Consumer Affairs to include Mental Health Professionals in the database.

Mr. Kahane reported that the Medical Board continues to work with us to dispense our "Consumer Guide to Psychological Services" throughout the health fairs in California. The recent health fairs have been located in many areas of underserved populations in California and throughout the Central Valley.

Mr. Kahane noted that the Board was represented at the California State Fair. He stated that Board staff worked at the Department of Consumer Affairs' (DCA) booth greeting the fairgoers and handing out Board of Psychology literature. This event enhanced our visibility, in addition to continuing our support of DCA.

**Agenda Item #5 – Regulations Update**

**a) Supervised Professional Experience (Non-Mental Health) – Amendments to Title 16, California Code of Regulations section 1387.3**

Mr. Thomas reported that he has recently been working with DCA's Budget Office regarding the Economic and Fiscal Impact Statement for the proposed regulations regarding Supervised Professional Experience in Non-Mental Health Services. He indicated that once this document is approved, the rulemaking file can be submitted to the Office of Administrative Law for approval.

**b) California Law and Ethics Examination – Amendments to Title 16, California Code of Regulations sections 1381.5, 1388, 1388.6 and 1392**

Mr. Thomas reported that the rulemaking file for the California Psychology Laws and Ethics Examination has been approved by DCA's Legal Office and Legislative and Regulatory Review Division. He stated that he has been working with DCA's Budget Office to ensure that the Economic and Fiscal Impact Statement is accurate. Mr. Thomas stated that once this document is approved, the rulemaking file can be submitted to the Office of Administrative Law for approval.

## **Agenda Item #6 – Continuing Education Committee Report**

### **a) 2007/2008 Strategic Plan Update**

Dr. O'Connor provided an update of the 2007/2008 Strategic Plan. She reminded the Board that the purpose of the Continuing Education Committee is to upgrade the quality of courses provided to licensees. She stated that to carry out this purpose, it is important to identify emerging issues in the profession such as military personnel returning from service, disaster response, diversity, and the needs of practitioners who are in their early years of practice.

### **b) Continuing Education Statistics**

Dr. O'Connor referred the Board to the continuing education statistics which were provided in the meeting packets.

### **c) MCEPAA Approving Providers Rather than Individual Courses – Recommendations and Implementation Plan**

Dr. O'Connor reported that the discussion during the Continuing Education Committee's meeting held the previous day centered mainly on the MCEPAA model for approving providers rather than individual courses. She stated that the focus is to achieve a change that results in better providers. She indicated that the model is moving away from individual course review and setting a higher standard. Dr. O'Connor stated that Dr. Linder-Crow and her staff has been working on an implementation strategy and an aggressive plan to implement the model in a relatively short period of time. She indicated that Dr. Linder-Crow will present the implementation plan at the next Board meeting. Dr. O'Connor reported that a committee consisting of herself, Dr. Graff, Dr. Linder-Crow and Mr. Thomas will work on regulation language to implement the changes.

### **d) Discussion of Continuing Education Accrued After Renewal But Prior to Expiration Date Applying Toward Next Renewal Cycle**

Dr. O'Connor indicated that this issue will continue to be discussed to determine the feasibility of changing the statutes and regulations to implement such a change.

### **e) Ongoing Discussion of Ways to Improve Continuing Education Requirements**

Dr. O'Connor reported that in reviewing the regulation changes required to implement the MCEPAA model, the Continuing Education Committee will be reviewing the entire body of the continuing education regulation language to identify any other areas that need improvement and make any necessary changes. She also indicated that any feedback regarding courses will also be reviewed.

### **f) Discussion of Acceptable Exceptions to the Continuing Education Requirements**

Dr. O'Connor indicated that this issue will continue to be discussed in the Continuing Education Committee's ongoing discussion of ways to improve continuing education requirements.

It was M(Continuing Education Committee)/S(Sherman)/C to accept the Continuing Education Committee's report and recommendations.

Vote: 7 – 0

**Agenda Item #7 – Regulation Hearing – 10:00 a.m.**

**a) Title 16, California Code of Regulations To Amend Section 1387(a)(2)(A) – Postdoctoral Supervised Professional Experience (CAPIC)**

Mr. McGhee conducted the regulation hearing regarding postdoctoral supervised professional experience.

Doris Penman, Ph.D., testified before the Board about her concern regarding the availability of CAPIC's membership criteria. She indicated that the criteria has been made available to the Board, but she is concerned that there has been no public posting of the criteria. She also expressed concern that whatever the merits, the CAPIC postdoctoral programs added one more layer to an already multi-layered system of education and training in California that was not consistent with national standards.

Patrick Petti, Ph.D., Executive Director of CAPIC, testified before the Board. Dr. Petti stated that CAPIC has responded to a national crisis in internship training. He indicated that 25% of students nationwide went unmatched to APA/APPIC internships during the first matching period. Dr. Petti stated that not only will the proposed regulation address this issue, it will also help solve the backlog of psychological assistant applications that the Board is currently facing. He stated that the proposal will provide continuity between pre- and post-doctoral placements with no lapse in trainees' ability to provide services to their patients. In response to Dr. Penman's concerns, he indicated that CAPIC demonstrated due diligence in distributing their draft membership criteria. He indicated that the membership criteria have been approved by the entire membership, and that they will be posted on CAPIC's website within the next week.

In response to comments made by Dr. Penman and Dr. Petti, a discussion by the Board confirmed that hours of supervised professional experience accrued under this regulation would be accepted from the time that CAPIC's membership requirements were met, but not before the effective date of the regulation.

Dr. Penman addressed the Board following Dr. Petti's testimony. She indicated that she would not want the Board to delay this proposal due to her concerns; she merely wanted to question the procedures regarding the availability of the criteria.

The regulation hearing was closed.

**Agenda Item #8 – Consideration and Adoption of Proposed Regulatory Language – Postdoctoral Supervised Professional Experience – California Psychology Internship Council Section 1387(a)(2)(A)**

It was M(Horn)/S(Rodolfa)/C to adopt the proposed regulatory language and to delegate the authority to the Executive Officer to make any necessary non-substantive changes and to proceed with the rulemaking process.

Vote: 7 – 0

## **Agenda Item #9 – Credentials Committee Report**

### **a) 2007/2008 Strategic Plan Update**

Dr. Graff reported that the discussion of the strategic plan is being tabled for the next Board meeting.

### **b) Satisfaction Survey Results**

Dr. Graff reported that the discussion of the satisfaction survey results is being tabled for the next Board meeting.

### **c) Review Plan(s) for Supervised Professional Experience in Non-Mental Health**

The Credentials Committee recommended to approve J.K.'s plans for supervised professional experience in non-mental health services under Dr. John Renner and Dr. Ron Rembisz, pursuant to Section 1387.3(a) of the California Code of Regulations (CCR).

The Credentials Committee recommended to deny L.Z.'s plan for supervised professional experience in non-mental health pursuant to Section 1387.3 (a) & (b) of the CCR.

The Credentials Committee recommended to approve V.L.B.'s plan for supervised professional experience in non-mental health services under Rev. Jeffrey W. Welsh pursuant to Section 1387.3 (a) & (b) of the CCR.

### **d) D.T. – Review of Master's-Level Courses for Approval Towards Meeting the 48 Semester/Trimester or 72 Quarter Unit Requirement for the Accrual of Predoctoral Supervised Professional Experience**

Dr. Graff reported that the Credentials Committee's review of D.T.'s transcripts, D.T. earned 9 semester units of graduate level coursework in psychology from Saybrook Graduate School and 46 quarter units (which is equivalent to 31 semester units) of graduate level coursework in psychology from California State University, Los Angeles. This gives D.T. a total of 40 semester units of graduate level coursework in psychology, which is deficient by 8 semester units, to fulfill the requirements of Section 1387 (a) (1) of the CCR.

### **e) Draft Revised Psychological Assistant Application**

Dr. Graff stated that the Credentials Committee made recommended changes to the psychological assistant application and staff will provide a second draft of the revised application for review at the February 2008 meeting.

### **f) Draft Revised Supervision Agreement**

Dr. Graff stated that the Credentials Committee made recommended changes to the supervised professional experience supervision agreement form and staff will provide a second draft of the revised agreement for review at the February 2008 meeting.

### **g) American Psychological Association Model Act for State Licensure of Psychologists**

Dr. Graff reported that the Credentials Committee did not have enough time to discuss this agenda item and recommend that the issue be tabled for the next Board meeting.

**h) Discussion Regarding Submission of a Plan by Psychological Assistants Accruing Predoctoral Supervised Professional Experience in Private Practice Settings**

Dr. Graff recommended that this agenda item be tabled for the next Board meeting.

**i) Update and Communication on Avoiding Problems in Achieving Timely Application Processing for Licensed Psychologists, Registered Psychologists and Registered Psychological Assistants**

Dr. Graff reported that Board staff had processed a total of 109 psychological assistant applications for the months of August and September 2007. She also indicated that staff is currently in the process of reviewing 80 applications for licensure as a psychologist that are over ten weeks old.

To address the current backlog dilemma, the Board has hired three retired annuitants who are currently dedicated to licensing to assist in getting the application processing times back on track. Ms. Snyder suggested different alternatives to try to address the backlog situation and will implement accordingly based on staff workload.

Ms. Snyder stated that beginning Monday, November 19, 2007, staff will acknowledge all incoming applications and a quick preliminary review of missing documents will be provided to each applicant by email. She also stated that the Licensing Unit is now fully staffed, and, with the assistance of the three retired annuitants, she foresees an improvement in application processing times in the next couple of months.

Dr. Rodolfa commented that the Board's licensing staff does a great job and that although the backlog is problematic for psychologists, candidates and the public, looking at application processing times nationally, there are some states that take up to eleven months to process applications. He stated that it is a tough situation for all, but staff really works hard to remedy this problem.

It was brought to the Board's attention that psychological assistant registrations expire on January 31<sup>st</sup> of every year, regardless of the date of issuance pursuant to Section 1391.12 of the California Code of Regulation. Dr. Rodolfa suggested that perhaps a regulation change is needed to allow registrations to expire a year from the date of issuance, and annually thereafter, as opposed to January 31<sup>st</sup> of every year. He indicated that this change could possibly alleviate the influx of applications at the end of every year. Dr. Graff suggested that this issue be added to the agenda for the next Board meeting.

**j) Impact of Recent Regulation Change Regarding California Psychology Internship Council Membership**

Dr. Graff reported that the Board reviewed a letter from the California Psychology Internship Council (CAPIC) regarding the implementation of new regulations that became effective May 27, 2007, which eliminated acceptance of internship placements that meet the membership requirements of CAPIC (but are not members). CAPIC's concern was for those internship placements that began on or after January 1, 2007 that do not have CAPIC membership when the placement begins, but attain membership during the course of the placement. The Board determined that it would recognize CAPIC's membership approval date, which, according to CAPIC, is backdated to the date that the placement met CAPIC's membership requirements.



Dr. Horn clarified that since these regulations didn't become effective until May 27, 2007, the Credentials Committee determined that if a predoctoral intern had begun an internship placement that met the membership requirements of CAPIC, but was not a member of CAPIC, prior to the effective date of the regulations, the intern will be allowed to complete the year of internship and get credit for the hours of supervised professional experience accrued during the internship year. She reminded the Board that this applied only to current-year internship placements.

Dr. Emil Rodolfa suggested providing links on the Board's website to lists of internship training sites that have been approved by APA, CAPIC and APPIC.

It was M(Credentials Committee)/S(Horn)/C to accept the Credentials Committee's report and recommendations.

Vote: 7 – 0

### **Agenda Item #10 – Examination Committee Report**

#### **a) 2007/2008 Strategic Plan Update**

Dr. Horn stated that Mr. Kahane, Ms. Marks and herself met with Nancy Linn of the Department of Consumer Affairs' Office of Examination Resources to discuss updating the CPSE with content relevant to non-mental health practice. The outcome of the meeting resulted in conducting a January 2008 Item Writers Workshop and a February 2008 Item Review Workshop consisting of non-mental health licensees. The goal of these workshops is to develop 12 pretest (non-scored) questions in the area of non-mental health laws and ethics to incorporate into the August 2008 version of the CPSE. Dr. Horn requested that staff update the status of this objective to ongoing.

#### **b) Examination Statistics**

Dr. Horn requested that staff include the percentage of pass rate for both the Examination for Professional Practice in Psychology and the California Psychology Supplemental Examination in the Examination Statistics report at the next Board meeting.

#### **c) Discussion of Non-Mental Health Examination Process**

Dr. Horn reiterated that Nancy Linn of the Department of Consumer Affairs' Office of Examination Resources will begin meeting with non mental health licensees at the January and February 2008 examination workshops, the goal being to create 12 pre-test non-mental health questions in laws and ethics for the August 2008 CPSE.

Dr. Horn stated that the current CPSE exam is based on ASPPB's occupational analysis. Based on that occupational analysis, it was determined by a random sample of California licensed psychologists that there were five content areas that were not adequately covered in the EPPP. These content areas are now incorporated in the CPSE. However, Dr. Horn stated that the Board is currently tied to this occupational analysis which has caused difficulty in trying to include the non-mental health aspect into the CPSE. The next occupational analysis by ASPPB won't be conducted until 2009. Ms. Linn will be working with the Board to find a way within a valid examination development process to broaden the CPSE to include more areas of psychology, including non-mental health areas.

It was M(Examination Committee)/S(Sherman)/C to accept the Examination Committee's report and recommendations.

Vote: 7 – 0

### **Agenda Item #11 - Enforcement Committee Report**

#### **a) 2007/2008 Strategic Plan Update**

Dr. Sherman reported on the following updates to the Strategic Plan:

Objective 1:01 – Emerging Issues in the Practice of Psychology - Citation and Fine - Staff will be working with legal counsel to determine new ways to recover unpaid fines. Currently there is approximately \$10,500 outstanding from the citation and fine program.

Objective 1.03 – Enhance IT programs to include information regarding convictions for unlicensed practice - Mr. Kahane stated that there is a low percentage of complaints regarding unlicensed practice. Due to this low percentage, staff will continue to use the current system to track complaints regarding unlicensed activity.

Objective 1.04 – Make disciplinary documents covering the previous five years available for download from the Board's website - Staff is working to get all disciplinary decisions on the website. This will make them available on the "license look-up" link and also under the "Board Actions" link. The "Board Actions" link would include those actions against unlicensed persons. In addition, staff will work to make sure that a "Google" search for a licensee with disciplinary action will link to the Board's website.

#### **b) Discussion Regarding Changes to the Requirements of the Expert Reviewer Program**

Dr. Sherman stated that the Enforcement Committee reviewed the current policies, processes and procedures for the Expert Reviewer Program and is making the following recommendations:

##### **Policy Changes:**

- Implement a four-year term for experts with a renewal process at the end of the 4 year term.
- Require one mandatory training for experts per year (training will be offered in Northern and Southern California).
- Require a valid license issued a minimum of five years preceding application, or list relevant experience if licensed less than five years (Current policy is three years).
- Require that experts maintain an Active license status and require that they have been practicing/working in the field during the time in which the alleged violations occurred.
- Staff to verify the compensation rate for experts.

##### **Application Changes:**

- Review and revise the "Areas of Expertise" and add new areas in anticipation of upcoming changes in the practice – for example: Organizational Psychology.
- Remove from the "Areas of Expertise" under Other: Touch Therapy.
- Require applicants to pick top five areas of expertise in which they want to be utilized as an Expert.

- Require applicants to submit a writing sample. If they indicate that they would like to perform evaluations – they must submit a sample evaluation. In addition, they need to state how many evaluations they have completed in the previous few years.

#### Miscellaneous Changes:

- Staff will begin tracking the violations that are sent to experts (for example: child custody, etc.) to help determine in what areas, if any, the Board needs additional experts.
- Staff will work on updating the Expert Reviewer handbook that is sent to new experts.
- Staff will continue working on ways to streamline the internal processes and procedures in regards to monitoring expert review times. Staff will implement procedures to ensure that cases are reviewed within 30 days. More time will be allotted when warranted.

#### c) Enforcement Statistics

Dr. Sherman reported on the Enforcement Statistics. He stated that staff would follow up with the Medical Board regarding the statistics and outcome of the vertical prosecution pilot program and report on this during the February meeting.

In addition, Dr. Sherman reported that Board staff will look into the possibility of tracking enforcement statistics differently. This would include listing the actual status and outcome of the complaints that are received within each fiscal year. For example, of the 139 complaints received during the first quarter of fiscal year 2007/08, how many of those were sent to investigation, referred to the AG/DA, etc. Staff will report on this at the February meeting.

#### d) Expert Reviewer Nominations

Dr. Sherman reported that the Enforcement Committee reviewed applications for new Expert Reviewers and recommends approving five of the applications.

It was M(Enforcement Committee)/S(Calero)/C to accept the Enforcement Committee's report and recommendations.

Vote: 7-0

### **Agenda Item #12 – Legislation Committee Report**

#### **a) 2007/2008 Strategic Plan Update**

Dr. Sherman reported Goals 5.01, 5.02, and 5.04 remain ongoing tasks. He also stated Goal 5.03 regarding the Sunset Review Process has not started.

#### **b) SB 797 (Ridley-Thomas) – Professions and Vocations**

Dr. Sherman reported this is an omnibus bill covering many professions and this bill would specify existing authorization to suspend or revoke a license is in addition to other action the Board may take.

Ms. Marks, Staff Counsel, also pointed out that this bill has some of the language from AB1025.

#### **c) SB 823 (Perata) – BPPVE Act of 2007**

Dr. Sherman stated this has become a two year bill. The hearings were postponed by the Assembly Appropriations Committee.

**d) SB 916 (Yee) – Acute Psychiatric Hospital; Patient Detention and Release**

Dr. Sherman noted this bill was signed by the Governor on October 5, 2007. This bill will extend to acute psychiatric hospitals other than 5150-designated hospitals the same civil and criminal immunity currently granted to general acute care, related to the detention of a person who is a danger to themselves or others or gravely disabled, and extends the immunity to the licensed professional staff of those hospitals, or any physician and surgeon providing emergency medical services in any department of those hospitals, if the acute psychiatric hospital meets specific criteria that already apply to general acute care hospitals

This bill Increases from eight hours to 24 hours the length of time a hospital that is not 5150-designated can detain a person considered a harm to themselves or others or gravely disabled, makes the conforming change to the existing requirement that a person who is subsequently detained under Section 5150 be credited with time detained under these provisions, and establishes new conditions that allow a person to be detained more than eight hours, but less than 24 hours, as specified in the bill.

This bill also requires a clinical psychologist to have a collaborative treatment relationship with a physician and surgeon to a person detained and allows a clinical psychologist to authorize the release of a person from detention after consultation with a physician and surgeon.

Lastly, SB 916 states that nothing in this bill is intended to expand the scope of licensure of clinical psychologists.

**e) SB 1048 (Committee of B P and ED) – Committee of B P and ED; Healing Arts**

Dr. Sherman reported this bill was signed by the Governor on October 13, 2007.

**f) AB 612 (Ruskin) – Child Custody Evaluations**

Dr. Sherman stated this bill has become inactive. Dr. Chuck Faltz stated this has become a two-year bill. This bill may have impact regarding use of psychological testing in court.

**g) AB 1405 (Maze) – Juveniles; Joint Assessment of Status; Confidential Information**

Dr. Sherman explained the bill was in the Senate Judiciary Committee and the hearing was cancelled at the request of the author. This bill would expand the exchange of information between certain agencies regarding joint assessments.

**h) AB 1475 (Galgiani) – Crime; Child Abuse Reporting**

Dr. Sherman reported this bill is being held in the Public Safety Committee and reconsideration is being granted. Because of so much inappropriate information regarding this issue, this bill would add computer technicians to the list of mandated reporters.

**i) AB 1367 (DeSaulnier) – Alcohol and Drug Abuse Counselors Licensing Law**

Dr. Sherman reported this has become a two-year bill. The Board will be watching closely to see what happens in next legislative session regarding lack of licensure.

**j) AB 1486 (Calderon) – Licensed Professional Counselors**

Dr. Sherman noted this also has become a two-year bill. The Board will be monitoring closely to see what happens in the next legislative session.

It was M(Legislation Committee)/C to accept the Legislation Committee's report and recommendations.

VOTE: 7 – 0

**Agenda Item #13 – Outreach and Consumer Education Committee Report**

**a) 2007/2008 Strategic Plan Update**

Dr. O'Connor reported Strategic Plan goals 4.01, 4.02, 4.02 and 4.04 remain ongoing tasks for the Board.

Dr. O'Connor noted that members of the local media attended yesterday's meeting to discuss the disaster response that California psychologists had been involved with during the Southern California fires. She indicated that the Board was able to provide them great information regarding California psychologists being at the leading edge of disaster response. The Board provides updates on its website and in its newsletters, and California psychologists are getting great training from organizations such as the American Red Cross and responding to disaster areas.

Dr. O'Connor reported the Executive Officer, Robert Kahane, gave a presentation at Pacific Training Clinics to about 45 psychologists, interns and trainees discussing the licensing backlog and Board operations. He took questions after the presentation. They appreciated the visit by the Board.

Dr. O'Connor also spoke of a new issue regarding our servicemen, the stress for families when soldiers are returning from war and the best way we can educate the body of psychologists on how to respond and what kind of pro-bono work can be done.

**b) BOP Mail Monthly Statistics**

Dr. O'Connor referred to the monthly statistics for Board of Psychology e-mail provided in the meeting packets.

**c) Consumer Outreach**

**1) American Psychological Association**

Dr. O'Connor referred to the Executive Officers Report on this event.

**2) California State Fair**

Dr. O'Connor referred to the Executive Officers Report on this event.

### **3) Medical Board Distribution of Board of Psychology Consumer Pamphlets**

Dr. O'Connor referred to the Executive Officers Report on this event.

### **4) Los Angeles County Psychological Association**

Dr. O'Connor referred to the President's report for the information regarding this event.

#### **d) BOP Update**

Dr. O'Connor reported the Board of Psychology Update is in its final editing phase with the Department of Consumer Affairs (DCA) and should be available for printing, hopefully within 3-4 weeks.

#### **e) Web Site Statistics**

Dr. O'Connor referred to the web site statistics included in the meeting packets.

#### **f) Discussion Regarding Development of an Outreach Program in Non-Mental Health Areas**

Dr. O'Connor reported the committee did not address this issue in the committee meeting on Friday, so this issue will be tabled until the February Board Meeting.

#### **g) California Psychological Association Proposal for a Board of Psychology Conference on Diversity**

Dr. O'Connor stated this concept is in discussion. Mr. Kahane met with Dr. Jo Linder-Crow, Executive Director of the California Psychological Association (CPA), and Dr. Miguel Gallardo, President of CPA, regarding an outreach and diversity presentation, possibly for Spring of 2008. Mr. Kahane will be working with the DCA Legal Office to see how to notice the event and how to proceed. The Board's focus is well ahead of the norm on this issue. The Board will be exploring options for a well designed presentation for benefit of both consumers and licensees.

It was M(Consumer Education Committee)/S(Sherman)/C to accept the Consumer Education Committee's report and recommendations.

Vote: 7 – 0

### **Agenda Item #14 – Personnel and Board Operations Committee**

#### **a) 2007/2008 Strategic Plan Update**

Dr. Horn reported on the Strategic Plan.

Goal 6.02 – Executive Staff has implemented new procedures for Licensing. The area is now fully staffed. The Board can expect changes and a positive impact in both the Licensing and Enforcement Units.

Goal 6.03 – is delayed – The Board agreed to be part of DCA project; however, before it began, the Board was informed that two staff persons would have to be dedicated and relocated to DCA to implement the project. This is not possible for the Board to do under present circumstances.

Goal 6.05 – is currently being done for each unit, Enforcement, Licensing and Administration. Dr Horn reported plans for Fiscal Year 2008/2009 include requesting additional staff through the Budget Change Proposal (BCP) process. The positions requested would include an Outreach Coordinator and an Office Technician for the Licensing Unit.

**b) Discussion of Using a Consulting Psychologist as an Aid to Operational Improvement**

Dr. Horn noted the committee discussed employing a consulting psychologist for the Board. This idea came about from a conference through the American Psychological Association attended by Dr. Horn. Dr. Horn explained the Consultant would work with staff to improve efficiency and make sure staff understands the mission and vision of the Board. Staff has been delegated to check into the process.

**c) Executive Officer Evaluation Form**

Dr. Horn stated the Committee would request Board members to review the form individually and bring suggestions to the next meeting.

It was M(Personnel and Board Operations Committee)/S(Sherman)/C to accept the Personnel and Board Operations Committee report and recommendations.

VOTE: 7 – 0

**Agenda Item #15 – Ad Hoc Committee on Facilitating Psychologists' Participation in Disaster Response Report**

**a) Information Gateway and Links on Web Site**

Dr. O'Connor had nothing to report at this time other than the media was present yesterday at the Board meeting and she spoke to them.

**b) AB 64 (Berg) – Uniform Emergency Volunteer Health Practitioners Act**

Dr. O'Connor reported the hearing on this bill was cancelled at the request of the author.

It was M(Ad Hoc Committee on Facilitating Psychologists' Participation in Disaster Response)/C to accept the Ad Hoc Committee on Facilitating Psychologists' Participation in Disaster Response's report and recommendations.

VOTE: 7 – 0

**Agenda Item #16 – Ad Hoc Committee on Prescription Privileges**

**a) Continued Discussion Regarding Prescriptive Authority**

Dr. Graff stated she had very little to report except to ask Dr. Faltz to explain in more detail setting up a pilot project to address underserved populations.

Dr. Faltz stated there were two ways this could become active; if a bill passed and it comes to the Board to write regulations to administer that law or an existing law that provides pilot projects for licensed health professionals who would be trained in skills that go beyond the scope of the license.

It was M(Ad Hoc Committee on Prescription Privileges)/S(Rodolfa)/C to accept the Ad Hoc Committee on Prescription Privileges report and recommendations.

VOTE: 7 – 0

#### **Agenda Item #17 – Public Comment on Items Not on the Agenda**

Dr. Charles Faltz brought up a concern that he had regarding the change in the law and ethics requirement for the renewal of a psychologist's license. He stated that the Board previously eliminated the requirement for a specific course requirement; however it kept the requirement for licensees to keep themselves educated in these areas. He stated that in the past, the Board created a booklet that contained a summary of California law that relates to the practice of psychology. Dr. Faltz wanted to know if this booklet is still available. Mr. Thomas stated that the laws and regulations booklet incorporates the laws that were previously published in the summary of law booklet.

Dr. Faltz also discussed the issue about the possibility of the psychology fund being raided again. He stated that he has great concern about this possibility and asked the Board to be diligent in their role as the custodian of the psychology funds and continually monitor for any proposals that may be coming up that would involve the use of the psychology fund toward addressing the state's deficit.

#### **Agenda Item #18 – Agenda Items for Future Meetings**

Dr. Candace Young, from the Los Angeles County Psychological Association, requested that an item be placed on the agenda to discuss the specific statute that allowed the loan to the general fund to be taken from the psychology fund as well as the result of the Medical Board of California's lawsuit.

Mr. Kahane mentioned that during his outreach efforts, he has received comments from licensees in the following areas:

- It is easier to supervise marriage and family therapy interns than it is to supervise psychology trainees
- Concerns regarding psychological assistants who are performing extended outpatient care which turns into life-supporting duties (i.e. shopping, etc.) – what is the Board's position on these relationships.

It was M(Sherman)/C to adjourn the open session meeting and continue the closed session.

The open session meeting adjourned at 11:50 a.m.



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James L. McGhee  
President

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Date